

STATE OF CALIFORNIA
Energy Resources Conservation
and Development Commission

In the Matter of:)	Docket No. 01-AFC-1
)	
Application for Certification for the)	Addendum to Staff's Response to
FPL Energy Sacramento Power , LLC)	Applicant's Proposed Revision to
RIO LINDA/ELVERTA POWER)	Committee Scheduling Order
<u>Project (RLEPP)</u>)	(July 27, 2001)

On August 3, 2001, the applicant for the Rio Linda/Elverta Power Project (project), FPL Energy Sacramento Power, LLC (the applicant), filed a request with the Presiding Committee to revise the Committee schedule issued June 4, 2001. The applicant indicated that it will file a supplement to its Application for Certification (AFC) by October 1, 2001. Potential changes include modifications to address 1) visible plumes, 2) turbine hall design, 3) noise concerns, and 4) water supply. The applicant proposed that staff issue its PSA 60 days after submittal of the AFC supplement and that the Prehearing conference be moved to mid-January. On August 18, 2001 staff filed a response to the applicant's proposal, and the Presiding Committee held a status conference on September 7. At the status conference, the Committee indicated that it would issue a scheduling order within ten days. This Addendum to our initial response provides information that the Committee should consider in finalizing that schedule.

Wednesday, September 12th, staff conducted a workshop on the project at which the applicant provided additional information about the scope of its proposed changes to the project. Specifically, the applicant indicated that the October 1, 2001 submittal would

identify a new transmission interconnection at the Elverta substation. Perhaps more significantly, the applicant presented a verbal outline of its new proposed water supply. As staff understands it, the applicant now proposes to enter into a contractual arrangement with a nearby property owner under which the property owner would agree to fallow 540 acres currently under agricultural production. The water currently used on that property would be piped to the project site. The water from this property will be combined with that currently pumped for agricultural purposes at the 90-acre proposed plant site to meet the water requirements of the project fallowing a total of 630 acres of prime agricultural land. FPL proposes to abandon the existing on site well and construct a new on-site well. When water from the 540-acre site is disrupted, the on site well will provide all water required by the project. Due to the preliminary nature of the applicant's proposal, many details critical for determining the appropriate scope of analysis are unavailable.

Based on the proposed water supply identified in the AFC, staff began to conduct an analysis (including construction of groundwater models) five months ago that would evaluate direct, indirect and cumulative impacts of the project. Staff asked a first round of data requests to facilitate that exercise, and when incomplete or non-responsive answers were received, Staff refined and reworded its requests and included them in a second round of data requests.

At the workshop, however, it became clear that there was little use in the applicant's answers to those requests, because the questions were predicated on a water supply that is no longer being proposed. And, due to the lack of detail about the proposal, we were similarly unable to identify which outstanding data requests would still

be relevant or need to be modified. As a result, staff stated that it would formally withdraw all of the water data requests and re-issue appropriate data requests once the supplement is filed and reviewed. Staff believes it is critical that the Committee understands that we will not know either the extent to which work already completed must be redone or the scope of additional discovery that will be required until the actual AFC supplement is submitted. Therefore, we strongly encourage the Committee to adopt a schedule consistent with the prior rescinded Committee schedule that recognizes the magnitude of the proposed changes to this project and provides staff ample opportunity to conduct discovery on the proposal.

Date: September 14, 2001

Respectfully submitted,

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